

# United States District Court

WESTERN DISTRICT OF WASHINGTON

WILLIAM B. FITZSIMMONS,

v.

TRACY MURGER, et al.,

JUDGMENT IN A CIVIL CASE

No. 10-5494RBL/JRC

\_\_\_\_ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

  X   **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

THE COURT HAS ORDERED THAT

- (1) The Court adopts the Report and Recommendation; and
- (2) Plaintiff's motion to proceed in forma pauperis is DENIED and this action is DISMISSED WITH PREJUDICE as FRIVOLOUS.

\_\_\_\_\_  
October 13, 2010

Date

\_\_\_\_\_  
WILLIAM M. McCOOL

Clerk

\_\_\_\_\_  
*s/Mary Trent*

Deputy Clerk